

Notice of Allowability

Application No.

10/690,764

Examiner

John C. Hong

Applicant(s)

FISHER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Election filed 10/20/05.
2. ☒ The allowed claim(s) is/are 1-11 and 29-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 10/23/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

This application is in condition for allowance except for the presence of claims 12-28 to an invention non-elected without traverse. Accordingly, claims 12-28 have been cancelled.

2. The following is an examiner's statement of reasons for allowance:

The prior art fails to teach: Regarding Claim(s) 1, a method of fabricating a tank substructure, the method comprising: forming a framework of a tank, wherein the framework comprises a first end plate, a second end plate and at least one interior wall; sizing a sheet such that a first end of the sheet will define a portion of a first surface of the tank and a second end of the sheet will define another portion of the first surface of the tank when the sheet is placed in contact with the framework of the tank such that the sheet circumscribes a portion of a periphery of the first end plate or the second end plate; placing a portion of the sheet in contact with the framework of the tank, such that the sheet circumscribes a portion of a periphery of the first end plate or the second end plate, and such that the sheet circumscribes a portion of a periphery of the at least one interior wall, such that a first end of the sheet defines a portion of a first surface of the tank and a second end of the sheet defines another portion of the first surface of the tank, wherein a portion of the sheet disposed between the first end and the second end defines a portion of a second, opposing surface of the tank; and forming a seam between the sheet and the framework, wherein the seam is formed on an exterior of the tank; and Regarding Claim(s) 29, a

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method of fabricating a tank substructure, the method comprising: forming a framework of a tank, wherein the framework comprises a first end plate, a second end plate and at least one interior wall; sizing a sheet such that a first end of the sheet defines a portion of a first surface of the tank and a second end of the sheet defines another portion of the first surface of the tank when the sheet is placed in contact with the framework of the tank, wherein the sheet circumscribes a portion of a periphery of the first end plate, a portion of a periphery of the second end plate, and a portion of a periphery of the at least one interior wall; forming a first opening, a second opening, and a third opening in the sheet, wherein the first opening is substantially aligned with the periphery of the first end plate, the second opening is substantially aligned with the periphery of the second end plate, and the third opening is substantially aligned with the periphery of the at least one interior wall; placing the sheet in contact with the framework of the tank, such that the sheet circumscribes a portion of the periphery of the first end plate, the second end plate, and the at least one interior wall, such that a first end of the sheet defines a portion of a first surface of the tank and a second end of the sheet defines another portion of the first surface of the tank, wherein a portion of the sheet disposed between the first end and the second end defines a portion of a second, opposing surface of the tank; welding an inside edge of the first opening to the periphery of the first end plate; welding an inside edge of the second opening to the periphery of the second end plate and welding an inside edge of the third opening to the periphery of the at least one interior wall; wherein the welding is performed from an exterior of the tank substructure in combination with the other elements of the claimed invention.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John C. Hong whose telephone number is 571-272-4529. The examiner can normally be reached on M-F(07:00-16:30)First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John C. Hong
Primary Examiner
Art Unit 3726

jh
November 28, 2005